

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON**

[2014] NZERA Wellington 47  
5427954

BETWEEN

IRITANA HOROWAI  
NGAWHARAU  
Applicant

AND

THE PORIRUA WHANAU  
CENTRE TRUST  
Respondent

Member of Authority: P R Stapp

Representatives: Chris Moses, Advocate for the Applicant  
Alan Knowsley, Counsel for the Respondent

Investigation Meeting: 15 April 2014 at Wellington, and on the papers

Submissions by: 7 May 2014

Determination: 19 May 2014

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**COSTS DETERMINATION OF THE AUTHORITY**

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[1] Submissions on costs were made at the Authority's investigation meeting held on 15 April 2014, but were reserved in [2014] NZERA Wellington 34 to at least enable a further opportunity for the parties to try and settle the matter. That has not happened. The respondent has asked for costs of \$3,500.

[2] Mr Ngawharau has submitted that the employer's contribution was 100% to deny any costs. The respondent was entitled to defend the claim brought by Mr Ngawharau. There is nothing the respondent did to put the applicant to any unnecessary costs when the application was made by the applicant. The respondent did not contribute 100% in regard to the costs.

[3] Costs are set in this matter in the sum of \$3,500. This is based on the daily tariff of the same amount for a one day investigation meeting. Costs follow the event as the respondent was successful and has been put to the cost of the Authority's

investigation. There has been no other evidence to take any other approach in the matter.

**Order of the Authority**

[4] Pursuant to Clause 15 of Schedule 2 of the Employment Relations Act 2000 (the Act)

Iritana Horowai Ngawharau is required to pay the Porirua Whanau Centre Trust the sum of \$3,500 costs.

P R Stapp  
Member of the Employment Relations Authority